IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7628 OF 2005

Sunil Harishchandra Jadhav ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.Arfan Sait as amicus curiae for Applicant.

Ms.G.P.Mulekar, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 16, 2005.

P.C.

1. Heard Counsel for the parties.

2. The issue involved in this Application is squarely answered in the case of **Rajan Mohanlal Thakur vs. The State of Maharashtra decided on 22nd December 2004 in Criminal Application No.2474 of 2004.** It is the consistent view that the rule of directing running of sentences concurrently cannot be invoked if the transaction relating to

offence is not the same or the facts constituting the two offences are different. In the present case, both the offences are different and arising out of separate transaction. Hence, rejected.

3. Copy of this order be forwarded to the Applicant, as the present Application is filed through jail.

4. Court appreciates the able assistance given by Mr.Arfan Sait, Advocate as amicus curiae.

A.M.KHANWILKAR, J.